

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the amendments and reasons provided in the Amendment and Reply filed on December 12, 2006, and for the additional reasons that follow. Claims 1-22 remain pending in this application and are resubmitted for reconsideration.

New Matter Issue

It has been indicated in the Advisory Action dated January 31, 2007, that the amendments to the claims raises the issue of new matter. Specifically, it is alleged that the specification does not show support for air flow through the “entire” surface area of the separation panel. It is respectfully submitted that the new claim limitations “wherein the separation panel includes a first surface area exposed to the primary chamber and a second surface area exposed to the secondary chamber” and “wherein the separation panel is configured to permit air to enter the entire first surface area from the primary chamber and to flow through the entire second surface area into the secondary chamber” are supported in the specification expressly and implicitly in accordance with MPEP 2163. (“While there is no *in haec verba* requirement, newly added claim limitations must be supported in the specification through express, implicit, or inherent disclosure.”)

For example, Figs. 3 and 4B clearly show that air flows through the two surfaces of the panel 10 as depicted by the arrows. The cross section of the panel 10 in these figures is uniform and do not indicate any variation in the material at the arrows, i.e., no large holes or apertures are present. In addition, the pattern of the panel 10 in the cross sectional views of Fig. 3 and 4B indicates that the same material is used throughout the panel. This similar pattern would indicate that the material in which air is permitted to flow through (at the arrows) is the same material throughout the rest of the panel. The only conclusion that one with ordinary skill in the art would reach is that air can then flow through the entire panel because the same material which permits air flow at the arrows is used throughout the entire panel.

In addition, the panel 10 is described as being “air-permeable” even though the separation panel 10 seems to be substantially continuous. One with ordinary skill in the art would logically and correctly conclude that the separation panel permits air flow throughout its entire surface area because the very nature of the material used to make up the separation panel is itself air-permeable, which by definition, permits air flow. Thus, one would naturally

conclude that the separation panel permits air flow through its entire surface area due to the very nature of air-permeability in the material of the separation panel.

Thus, the property of the separation panel permitting air flow through its entire surface area is implicitly shown in the drawings and explicitly stated due to the panel being labeled as "air-permeable." For at least these reasons, there is support for the feature of air flowing through the entire first surface area of the panel to the entire second surface area.

Conclusion

It is believed that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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